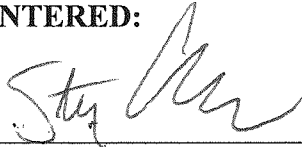


2. Covered entities are ordered to disclose all requested PHI concerning Thomas Fehl in response to subpoenas or other formal process issued by the Parties. This Order specifically permits and requires the disclosure of all psychotherapy notes, as defined under 45 C.F.R. § 164.501, and all other records and notes regarding Thomas Fehl's mental or emotional health or condition;
3. The Parties may not use or disclose the PHI released pursuant to this Order for any purpose or in any proceeding other than for this lawsuit;
4. The Parties and their attorneys may use the PHI disclosed pursuant to this Order in any manner that is reasonably connected with this lawsuit but shall take care to limit the public disclosure in the court file of PHI by either redacting the patient's last name or by filing documents containing PHI under seal. This use includes, but is not limited to, disclosures to the Parties, their attorneys of record, the attorney's firms (i.e., attorneys, support staff, agents, consultants), the Parties' insurers, experts, consultants, court personnel, court reporters, copy services, trial consultants, jurors, venire members, and other entities involved in the litigation process;
5. This Order shall not control or limit the use of what would otherwise be considered PHI that comes into the possession of any Party or any Party's attorney from a source other than a covered entity;
6. The Parties shall store all PHI while it is in their possession according to the Privacy Standards; and
7. The Parties shall, with the issuance of a final order or the extinguishment of all appeals, return all PHI obtained during the course of this lawsuit to the covered entity or destroy the PHI, including all copies made. In the event returning or destroying the PHI is infeasible, the Parties shall protect the confidentiality of the PHI for as long as the Parties retain it and shall limit further uses and disclosures of the PHI to the purposes that make the return or destruction of the PHI infeasible.

DATED:

1-11-11

ENTERED:



Magistrate Judge Stephen L. Crocker

William A. Chittenden III
Stuart F. Primack
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